

**REMARKS**

The above amendments and following remarks are responsive to the points raised in the September 19, 2005 non-final Office Action. Upon entry of the above amendments, Claim 1 will have been amended and Claims 1, 4, and 5 will be pending. No new matter has been introduced. No new issues have been raised that require further consideration or search. Entry and reconsideration are respectfully requested.

**Response to the Rejection under 35 U.S.C. § 103(a)**

Claims 1 and 4 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over US Patent 6,879,430 to Machida et al. (Machida) in view of US Patent 6,897,996 to Ikeda et al. (Ikeda). Since this rejection includes a paragraph stating “[r]egarding claim 5, Machida is interpreted as further disclosing the teaching of color filter disposed on the microcapsules to effect color display (col. 2, lines 33-50)”, Applicants will treat Claim 5 as rejected with Claims 1 and 4. Applicant respectfully traverse this rejection.

Applicants respectfully submit that neither Machida nor Ikeda, either alone or in combination, teach, suggest, or otherwise render obvious, the electrophoretic display as recited in Claims 1, 4, and 5. Independent Claim 1 has been amended to recite an electrophoretic display including, inter alia:

“a first electrode supported by said substrate, an insulating layer disposed on said first electrode, a second electrode having a predetermined size and shape and disposed on said insulating layer overlapping said first electrode”.

The primary reference of Machida discloses an image display apparatus and image writing device. In addition to an insulation layer, which is disposed between the first electrode and the second electrode, as acknowledged by the Examiner, Machida does not teach or suggest a first electrode supported by the substrate, an insulating layer disposed on the first electrode, and a second electrode having a predetermined size and shape that is disposed on the insulating layer overlapping the first electrode. The electrophoretic display of the present application is characterized in that “said first and second electrodes are disposed so as to create an electric field along a surface of said substrate”, i.e., an in-plane (or horizontal) electric field. On the other hand, Machida discloses an image display device in which white and black particles move between a pair of opposite substrates by applying DC voltages between the substrates, i.e., a vertical electric field, not the in-plane electric field. The secondary teaching of Ikeda, which discloses an electrophoretic display device, likewise does not teach or suggest a first electrode supported by the substrate, an insulating layer disposed on the first electrode, and a second electrode having a predetermined size and shape that is disposed on the insulating layer overlapping the first electrode. Neither Machida nor Ikeda include any other teaching or suggestion that would motivate one of ordinary skill in the art, at the time the invention was made, to modify the Machida teaching by disposing (1) an insulating layer on the first electrode 38A-C and (2) then disposing the second electrode 24 on the insulating layer overlapping the first electrode 38A-C. As such, the subject matter recited in Claim 1, as well as dependent Claims 4 and 5, is distinguished over the teachings of Machida and Ikeda, either alone or in combination.

Accordingly, the rejection under 35 U.S.C. § 103(a) should be withdrawn.

**CONCLUSION**

Applicant respectfully submits that Claims 1, 4, and 5 are in condition for allowance and a notice to that effect is earnestly solicited.

**AUTHORIZATIONS**

The Commissioner is hereby authorized to charge any additional fees which may be required for the timely consideration of this amendment, or credit any overpayment to Deposit Account No. 13-4500, Order No. 1232-5270.

Respectfully submitted,  
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